

STATE OF WISCONSIN
Assembly Journal
Eighty-Ninth Regular Session

10:00 A.M.

TUESDAY, June 13, 1989

The assembly met.

Speaker Loftus in the chair.

The prayer was offered by Representative Wood.

Representative Schultz led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present - Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schultz, Seery, Stower, Swoboda, Tesmer, Thompson, Travis, Tregoning, Turba, Underheim, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 98.

Absent None.

Absent with leave — Representative Schneiders — 1.

Vacancies None.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Joint Resolution 21** offered by committee on Veterans and Military Affairs.

Assembly amendment 2 to **Assembly Bill 82** offered by Representatives Porter and Vanderperren.

Assembly amendment 2 to **Assembly Bill 83** offered by Representatives Porter and Vanderperren.

Assembly substitute amendment 1 to **Assembly Bill 233** offered by Representative Loftus.

Assembly substitute amendment 1 to **Assembly Bill 274** offered by committee on Rural Development and Forestry.

Assembly amendment 1 to **Senate Bill 66** offered by committee on Health.

Assembly amendment 1 to **Senate Bill 73** offered by committee on Health.

Assembly amendment 1 to **Senate Bill 157** offered by committee on Rural Development and Forestry.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 64

Relating to designating July as "Skin Cancer Awareness Month".

By Representatives Loucks, Van Dreel, Robson, Rohan, Schmidt, Van Gorden, Antaramian, Ourada, Krug, Gard, Roberts, Underheim, Rutkowski, Tregoning, Harsdorf, Lahn, Wimmer, Schneiders, Panzer, Zeuske, Coleman, Ladwig, Turba, Klusman, Walling, Lehman, Farrow, Prosser, Radtke, Musser, Wineke, Young, Volk, Gronemus, Hubler, Lautenschlager, Moore, Huber, Plache, Carpenter, Williams, Lorge, Stower, Notestein, Boyle, Zien, Hinkfuss, Hamilton, Barrett, Rosenzweig, Larson, Barca, Bock, Johnsrud and Linton, cosponsored by Senators Ulichny, Plewa, Jauch, Cowles and Stitt, by request of American Cancer Society and Medical Society of Wisconsin.

To committee on State Affairs.

COMMITTEE REPORTS

The committee on Highways reports and recommends:

Assembly Bill 258

Relating to permitting the transportation of fruits or vegetables from field to storage or processing facilities in vehicles exceeding weight limitations.

Passage: Ayes: (12) Noes: (0)

To committee on Rules.

Assembly Bill 356

Relating to suspension and revocation of motor vehicle operating privileges.

Passage: Ayes: (12) Noes: (0)

To committee on Rules.

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Senate Bill 77

Relating to the eligibility of a homemaker for an occupational license.

Concurrence: Ayes: (12) Noes: (0)
To committee on Rules.

Senate Bill 154

Relating to the operation of snowmobiles near highways.

Concurrence: Ayes: (12) Noes: (0)
To committee on Rules.

Senate Bill 170

An act relating to prohibiting removal of a certain sign.

Concurrence: Ayes: (12) Noes: (0)
To committee on Rules.

CLETUS VANDERPERREN
Chairperson

The committee on Rural Development and Forestry reports and recommends:

Assembly Joint Resolution 49

Relating to calling for the continued development and administration of renewable natural resources by means of multiple use and sustained yield management of the national forests in the upper lake states region.

Adoption: Ayes: (11) Noes: (0)
To committee on Rules.

JOHN VOLK
Chairperson

The committee on State Affairs reports and recommends:

Assembly Bill 240

Relating to designating corn as the state grain.

Passage: Ayes: (10) Noes: (2)
To committee on Rules.

Assembly Bill 315

Relating to the operation of cemeteries by religious societies.

Adoption of assembly amendment 2:
Ayes: (8) Noes: (4)

Passage: Ayes: (12) Noes: (0)
To committee on Rules.

Assembly Joint Resolution 38

Relating to memorializing congress to suspend war-related assistance to El Salvador.

Without recommendation (Assembly Rule 19)
To committee on Rules.

Senate Bill 70

Relating to reports by charitable organizations and state agencies.

Concurrence: Ayes: (12) Noes: (0)
To committee on Rules.

JOHN MEDINGER
Chairperson

COMMUNICATIONS

State of Wisconsin
Department of State
Madison

To Whom It May Concern:

Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

| Bill or Res. No. | Act No. | Publication date |
|------------------|---------|------------------|
| Assembly Bill 14 | 15 | June 12, 1989 |

Sincerely,
DOUGLAS La FOLLETTE
Secretary of State

LEAVES OF ABSENCE

Representative Radtke asked unanimous consent for a leave of absence for today's session for Representative Schneiders. Granted.

Representative Radtke asked unanimous consent for a leave of absence for part of today's session for Representative Zeuske. Granted.

MOTIONS

Representative Porter asked unanimous consent to be recorded as voting "No" on the question of passage of Assembly Bill 219 on May 16, 1989. Granted.

Representative Fortis asked unanimous consent to be added as a coauthor of Assembly Bill 127. Granted.

CALENDAR OF MONDAY, JUNE 12

Senate Bill 7

Relating to making permanent the requirement that certain motor vehicle operators and passengers use safety belts.

The question was: Shall the vote by which Senate Bill 7 was refused concurrence be reconsidered?

The roll was taken.

The result follows:

Ayes - Representatives Baldus, Barrett, Bell, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, S., Deininger, Farrow, Fergus, Fortis, Grobschmidt, Gruszynski, Harsdorf, Hinkfuss, Huelsman, Klusman,

Krusick, Kunicki, Ladwig, Lautenschlager, Lehman, Loucks, Medinger, Moore, Notestein, Ott, Ourada, Panzer, Plache, Potter, Prosser, Robson, Rohan, Rosenzweig, Schmidt, Schneider, Seery, Tesmer, Travis, Tregoning, Turba, Underheim, Van Dreel, Vanderperren, Walling, Williams, Wineke, Young, Zweck and Speaker Loftus — 53.

Noes — Representatives Antaramian, Barca, Bolle, Brancel, Clarenbach, Coggs, M., Coleman, Foti, Gard, Goetsch, Gronemus, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Huber, Hubler, Johnsrud, Krug, Lahn, Larson, Lepak, Lewis, Linton, Lorge, Musser, Porter, Radtke, Roberts, Rutkowski, Schultz, Stower, Swoboda, Thompson, Van Gorden, Vergeront, Volk, Welch, Wimmer, Wood and Zien — 42.

Absent or not voting — None.

Paired for — Representatives Duff and Nelsen — 2.

Paired against — Representatives Schneiders and Zeuske — 2.

Motion carried.

The question was: **Senate Bill 7** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes — Representatives Baldus, Barrett, Bell, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, S., Deininger, Farrow, Fergus, Fortis, Grobschmidt, Gruszynski, Harsdorf, Hinkfuss, Huelsman, Klusman, Krusick, Ladwig, Lautenschlager, Lehman, Loucks, Moore, Notestein, Ott, Ourada, Panzer, Plache, Potter, Prosser, Robson, Rohan, Rosenzweig, Schmidt, Schneider, Seery, Tesmer, Travis, Turba, Underheim, Van Dreel, Vanderperren, Walling, Williams, Wineke, Young, Zweck and Speaker Loftus — 50.

Noes — Representatives Antaramian, Barca, Bolle, Brancel, Clarenbach, Coggs, M., Coleman, Foti, Gard, Goetsch, Gronemus, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Huber, Hubler, Johnsrud, Krug, Kunicki, Lahn, Larson, Lepak, Lewis, Linton, Lorge, Medinger, Musser, Porter, Radtke, Roberts, Rutkowski, Schultz, Stower, Swoboda, Thompson, Tregoning, Van Gorden, Vergeront, Volk, Welch, Wimmer, Wood and Zien — 45.

Absent or not voting — None.

Paired for — Representatives Duff and Nelsen — 2.

Paired against — Representatives Schneiders and Zeuske — 2.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 7** be immediately messaged to the senate.

Representative M. Coggs objected.

Representative Hauke moved that the rules be suspended and that **Senate Bill 7** be immediately messaged to the senate.

The question was: Shall the rules be suspended and **Senate Bill 7** be immediately messaged to the senate?

The roll was taken.

The result follows:

Ayes — Representatives Baldus, Barrett, Bell, Black, Bock, Boyle, Brandemuehl, Carpenter, Clarenbach, Coggs, S., Deininger, Duff, Farrow, Fergus, Fortis, Grobschmidt, Gruszynski, Harsdorf, Hauke, Hinkfuss, Huelsman, Klusman, Krusick, Kunicki, Ladwig, Lautenschlager, Lehman, Loucks, Medinger, Moore, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Roberts, Robson, Rohan, Rosenzweig, Schmidt, Schneider, Seery, Stower, Tesmer, Travis, Tregoning, Turba, Van Dreel, Vanderperren, Walling, Williams, Wimmer, Wineke, Wood, Young, Zweck and Speaker Loftus — 61.

Noes — Representatives Antaramian, Barca, Bolle, Brancel, Coggs, M., Coleman, Foti, Gard, Goetsch, Gronemus, Hamilton, Hasenohrl, Holperin, Holschbach, Huber, Hubler, Johnsrud, Krug, Lahn, Larson, Lepak, Lewis, Linton, Lorge, Musser, Radtke, Rutkowski, Schultz, Swoboda, Thompson, Underheim, Van Gorden, Vergeront, Volk, Welch and Zien — 36.

Absent or not voting — Representatives Schneiders and Zeuske — 2.

Motion failed.

CALENDAR OF TUESDAY, JUNE 13

Assembly Joint Resolution 54

Relating to designating September 24, 1989, as "United States Marshals Bicentennial Day".

The question was: Shall **Assembly Joint Resolution 54** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 54** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended to introduce and take up a joint resolution. Granted.

Assembly Joint Resolution 65

Relating to commending Representative Robert M. Thompson for his service as a United States Marshal.

By Representatives Loftus, Hauke, Clarenbach, Schneider, Gruszynski, S. Coggs, Van Dreel, Antaramian, Hasenohrl, Vanderperren, Holperin, Swoboda, Linton, Krusick, Barrett, Radtke, Zeuske,

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Deiningner, Prosser, Coleman, Farrow, Schneiders, Vergeront, Volk, Wineke, Moore, Plache, Stower, Potter, Kunicki, Seery, Bell, Baldus, Grobschmidt, Hubler, Robson, Wood, Carpenter, M. Coggs, Fortis, Boyle, Lautenschlager, Bock, Huber, Rohan, Barca, Hamilton, Holschbach, Notestein, Young, Black, Zweck, Williams, Krug, Roberts, Gronemus, Medinger, Travis, Hinkfuss, Schmidt, Schultz, Underheim, Brandemuehl, Van Gorden, Zien, Harsdorf, Ourada, Tregoning, Lahn, Lorge, Wimmer, Panzer, Ladwig, Lewis, Walling, Turba, Huelsman, Foti, Rutkowski, Fergus, Tesmer, Gard, Lehman, Musser, Goetsch, Brancel, Johnsrud and Klusman, cosponsored by Senators Strohl, Risser, Feingold, Helbach, Kincaid, Roshell, Te Winkle, Shoemaker and Van Sistine.

The question was: Shall **Assembly Joint Resolution 65** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 65** be immediately messaged to the senate. Granted.

Representative Gruszynski asked unanimous consent that the assembly stand recessed for fifteen minutes. Granted.

The assembly stood recessed.

11:20 A.M.

RECESS

12:15 P.M.

The assembly reconvened.

Assembly Bill 27

Relating to jail and detention facility assessments.

Assembly amendment 1 to **Assembly Bill 27** offered by Representatives Young, Zeuske and Notestein.

POINT OF ORDER

Representative Goetsch rose to the point of order that assembly amendment 1 to **Assembly Bill 27** was not germane under Assembly Rule 54.

The chair (speaker pro tempore Clarenbach) ruled the point of order not well taken.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 27** offered by Representatives Young and Wood.

The question was: Shall assembly amendment 1 to assembly amendment 1 to **Assembly Bill 27** be adopted?

Motion carried.

Representative Goetsch moved rejection of assembly amendment 1 to **Assembly Bill 27**.

The question was: Shall assembly amendment 1 to **Assembly Bill 27** be rejected?

The roll was taken.

The result follows:

Ayes — Representatives Brandemuehl, Coleman, Deiningner, Duff, Farrow, Foti, Gard, Goetsch, Harsdorf, Hauke, Huelsman, Johnsrud, Klusman, Ladwig, Lautenschlager, Lehman, Lewis, Lorge, Musser, Nelsen, Ott, Panzer, Prosser, Radtke, Rosenzweig, Schmidt, Schneider, Schultz, Swoboda, Thompson, Tregoning, Turba, Underheim, Van Gorden, Walling, Welch and Wimmer — 37.

Noes — Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Carpenter, Clarenbach, Coggs, M., Coggs, S., Fergus, Fortis, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Krug, Krusick, Kunicki, Lahn, Larson, Lepak, Linton, Loucks, Medinger, Moore, Notestein, Ourada, Plache, Porter, Potter, Roberts, Robson, Rohan, Rutkowski, Seery, Stower, Tesmer, Travis, Van Dreel, Vanderperron, Vergeront, Volk, Williams, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 61.

Absent or not voting — Representative Schneiders — 1.

Motion failed.

The question was: Shall assembly amendment 1 to **Assembly Bill 27** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 27** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 27** be given a third reading. Granted.

The question was: **Assembly Bill 27** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Lautenschlager, Lehman, Lewis, Linton, Medinger, Moore, Nelsen, Notestein, Plache, Porter, Potter, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schneider, Seery, Stower, Tesmer, Travis, Turba, Underheim, Van Dreel, Van Gorden,

Vanderperren, Vergeront, Volk, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 73.

Noes -- Representatives Brancel, Brandemuehl, Deininger, Duff, Farrow, Harsdorf, Huelsman, Larson, Lepak, Lorge, Loucks, Musser, Ott, Panzer, Prosser, Schmidt, Schultz, Swoboda, Thompson, Tregoning, Walling, Welch, Williams and Wimmer -- 24.

Absent or not voting — Representatives Ourada and Schneiders - 2.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 27** be immediately messaged to the senate. Granted.

Assembly Bill 88

Relating to permitting police vehicles to be equipped with headlamps that flash or pulsate.

The question was: Shall **Assembly Bill 88** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 88** be given a third reading. Granted.

The question was: **Assembly Bill 88** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 88** be immediately messaged to the senate. Granted.

Assembly Bill 127

Relating to using a child for illegal drug manufacturing or delivery purposes and providing a penalty.

Assembly amendment 1 to **Assembly Bill 127** offered by Representatives Gard, Rohan and Foti.

The question was: Shall assembly amendment 1 to **Assembly Bill 127** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 127** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 127** be given a third reading. Granted.

The question was: **Assembly Bill 127** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 127** be immediately messaged to the senate. Granted.

Representative Wineke asked unanimous consent to be added as a coauthor of **Assembly Bill 422**. Granted.

Assembly Bill 355

Relating to prohibiting parking near a railroad crossing.

Assembly amendment 1 to **Assembly Bill 355** offered by Representative Musser.

Representative Musser asked unanimous consent that assembly amendment 1 to **Assembly Bill 355** be withdrawn and returned to the author. Granted.

The question was: Shall **Assembly Bill 355** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 355** be given a third reading. Granted.

The question was: **Assembly Bill 355** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 355** be immediately messaged to the senate. Granted.

Representative Carpenter in the chair.

Senate Bill 143

Relating to financial requirements for health maintenance organizations, limiting the liability of enrollees and policyholders of health maintenance organizations for covered health care costs, open enrollment for persons insured under a liquidated insurer's group health policy, special deposits by health maintenance organizations, eligibility of and deductibles for claims under the insurance security fund, other changes to the laws governing health maintenance organizations and insurer delinquency proceedings and granting rule-making authority.

The question was: Shall **Senate Bill 143** be ordered to a third reading?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 143** be given a third reading. Granted.

Representative Clarenbach moved that **Senate Bill 143** be referred to the Joint Committee on Finance.

The question was: Shall **Senate Bill 143** be referred to the Joint Committee on Finance?

The roll was taken.

The result follows:

Ayes — Representatives Barca, Boyle, Carpenter, Clarenbach, Coggs, M., Foti, Kunicki, Loucks, Medinger, Schneider, Travis, Williams and Wincke — 13.

Noes — Representatives Antaramian, Baldus, Barrett, Bell, Black, Bock, Bolle, Brancel, Brandemuehl, Coggs, S., Coleman, Deiningen, Duff, Farrow, Fergus, Fortis, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Moore, Musser, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schultz, Seery, Stower, Swoboda, Tesmer, Thompson, Tregoning, Turba, Underheim, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Wimmer, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus - - 85.

Absent or not voting — Representative Schneiders — 1.

Motion failed.

The question was: **Senate Bill 143** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 143** be immediately messaged to the senate. Granted.

Representative Johnsrud asked unanimous consent to be removed as a coauthor of **Assembly Bill 407**. Granted.

Representative Schmidt asked unanimous consent that the assembly adjourn in honor of the Kimberly Girl's Softball and Boy's Baseball Teams for winning the Class B State Championships. Granted.

Representative Brancel asked unanimous consent that the assembly adjourn in honor of his daughter, Micheleen, for receiving the Outstanding Student Award in science, geography, english and math and the Athletic Honor Roll for basketball, volleyball and track for having the highest grade point average at Portage Junior High School. Granted.

Representative Zeuske asked unanimous consent that the assembly adjourn in honor of Representative Schultz, who celebrated his thirty-sixth birthday on Monday, June 12. Granted.

Representative Robson asked unanimous consent that the assembly adjourn in honor of Representative Bolle, who celebrated his sixty-sixth birthday on Monday, June 12. Granted.

Representative Underheim asked unanimous consent that the assembly adjourn in honor of former representative Dwight York, who was chosen on Monday, June 12 to head the state's Vocational, Technical and Adult Education system (VTAE). Granted.

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Randy Brining, Inspector; Melanie Dake, Deputy US Marshal; Valerie Drinkwater, Administrative Clerk; Lisa Wilson, Student Intern; Pete Hall, Chief Deputy; William Banta, retired Chief Deputy; and Ruth Meyers, Fiscal Assistant; all of the United States Marshall's office, guests of Representative Thompson.

Former state representative Stan Lato from Rice Lake, guest of Representative Hubler.

Jim Lendall from Little Rock, Arkansas and a member of the Arkansas State Legislature, guest of Representative Bock.

Mary and Mark Silbernagel from Madison, guests of Representative Black.

Victoria and William Calhoun, guests of, and Bernard Van Dreel, husband of, Representative Van Dreel.

REFERENCE BUREAU CORRECTIONS

Assembly Bill 407

Page 33, line 5: delete "filing the statement".

Page 33, line 13: delete the first "the" and substitute ". The".

Representative Hauke moved that the assembly stand adjourned until 9:30 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

12:55 P.M.